

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MANDARIN ORIENTAL, INC.,

Plaintiff,

-v-

HDI GLOBAL INSURANCE COMPANY and  
ASSICURAZIONI GENERALI S.P.A.,

Defendants.  
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23 Civ. 4951 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

By September 6, 2024, at 5:00 p.m., the parties shall file supplemental briefs of no more than 750 words each on the issue of whether, under the factors articulated by the Second Circuit in *Admiral Insurance Company v. Niagara Transformer Corp.*, 57 F.4th 85 (2d Cir. 2023), the Court should decline to exercise its discretionary jurisdiction over Plaintiff Mandarin Oriental, Inc.’s first claim seeking declaratory judgment as duplicative of its breach of contract claim. *See Ambac Assurance Corp. v. U.S. Bank Nat. Ass’n*, No. 21-70, 2021 WL 6060710, at \*5 (2d Cir. Dec. 20, 2021) (affirming the dismissal of a declaratory judgment where “no useful purpose would be served by granting Ambac declaratory relief as Ambac’s declaratory judgment claim is duplicative of its breach of contract claim”); *Parts Auth., LLC v. Beyda*, No. 23 Civ. 7656 (NCM), 2024 WL 3553447, at \*4 (E.D.N.Y. July 26, 2024) (“[C]ourts have refrained from exercising jurisdiction over a declaratory action when the issue would necessarily be determined through separate claims.”).

SO ORDERED.

Dated: August 28, 2024  
New York, New York



JOHN P. CRONAN  
United States District Judge